

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CARYL VONDRA, Personal Representative)	
of the Estate of Melvin Vondra,)	
)	8:07CV85
Plaintiff,)	
)	
vs.)	ORDER
)	
GOODYEAR TIRE & RUBBER COMPANY,)	
)	
vs.)	
)	
BARTON SOLVENTS, INC., et al.,)	
)	
Defendants.)	

This matter is before the court *sua sponte*.

In the parties' Report Of Parties' Planning Conference (Filing No. 72), the parties indicated the following:

12. Other matters to which the parties stipulate and/or which the Court should know/consider:

* * * *

b) Plaintiff has indicated that claims against Goodyear Tire & Rubber Company will be dismissed by September 15, 2007.

c) Plaintiff and Third Party Plaintiff Goodyear Tire & Rubber Company stipulate to dismiss this action as to Goodyear Tire & Rubber Company only. This action is to remain pending as to all other parties.

No pleading has been filed to clarify or activate the intent set forth above.

IT IS ORDERED:

On or before November 16, 2007, Plaintiff Caryl Vondra, Personal Representative of the Estate of Melvin Vondra, and Third Party Plaintiff Goodyear Tire & Rubber Company shall file appropriate motions to effect the intent set forth above. Such motions shall specify which claims or parties are to be dismissed and whether such demands should be with or without prejudice.

DATED this 1st day of November, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge